

**REMARKS**

Reconsideration is requested.

Claim 3 has been canceled, without prejudice. The claims have been amended, without prejudice. Claims 23-28 have been added and read on the elected subject matter. Rejoinder and allowance of any claim defining a method of making and/or using a product defined by an allowable claim, at an appropriate time, are requested. Support for the claimed subject matter may be found throughout the specification. Claims 1, 2 and 4-28 are pending. Claims 14-22 have been withdrawn from consideration.

The objections to claims 1, 9 and 12 are obviated by the above amendments. Withdrawal of the objections is requested.

The Section 112, second paragraph, rejection of claims 3, 9, 11, 12 and 13 is obviated by the above amendments. The claims are submitted to be definite. Withdrawal of the Section 112, second paragraph, rejection is requested.

Clarification of the Section 112, sixth paragraph, "rejection" of claim 1 is requested as MPEP § 2181, for example, indicates that the objected to phrase is acceptable claim language. Withdrawal of the "rejection" or further clarification is requested.

The Section 102 rejection of claims 1, 2, 10 and 11 over Doi (U.S. Patent No. 6,033,359), is traversed. Reconsideration and withdrawal of the rejection are requested as the cited art fails to teach or describe, for example, a surgical instrument comprising, inter alia, a screen, wherein said screen can be brought from a first fold up state to an unfolded state and to a second fold up state, as presently claimed.

When the screen is introduced, it is in the first fold up state. Then it is unfolded when the screen is in the vicinity of the object and the at least one image is being acquired. Finally, it becomes again unfolded when the screen is recalled. The cited art fails to teach or suggest such fold up/unfolded/fold up states, as presently claimed.

Withdrawal of the Section 102 rejection is requested.

The Section 103 rejection of claims 3, 4 and 5 over Doi and Davidson (U.S. Patent No. 7,634,305), is traversed as the secondary reference fails to cure the deficiencies noted above with regard to Doi. The cited combination of art fails to suggest the claimed invention and withdrawal of the Section 103 rejection is requested.

The Section 103 rejection of claims 6, 7 and 8 over Doi and Abe (U.S. Patent Application Publication No. 2004/0220555), is traversed as the secondary reference fails to cure the deficiencies noted above with regard to Doi. The cited combination of art fails to suggest the claimed invention and withdrawal of the Section 103 rejection is requested.

The Section 103 rejection of claim 13 over Doi and Wendlandt (U.S. Patent Application Publication No. 2006/0106286), is traversed as the secondary reference fails to cure the deficiencies noted above with regard to Doi. The cited combination of art fails to suggest the claimed invention and withdrawal of the Section 103 rejection is requested.

The Section 103 rejection of claim 12 over Doi and Storz (U.S. Patent 4,607,620), is traversed as the secondary reference fails to cure the deficiencies noted

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above with regard to Doi. The cited combination of art fails to suggest the claimed invention and withdrawal of the Section 103 rejection is requested.

The Section 103 rejection of claim 9 over Doi, Abe and Storz, is traversed as the combination of secondary references fails to cure the deficiencies noted above with regard to Doi. The cited combination of art fails to suggest the claimed invention and withdrawal of the Section 103 rejection is requested.

The claims are submitted to be in condition for allowance and a Notice to that effect is requested. The Examiner is requested to contact the undersigned, preferably by telephone, in the event anything further is required.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

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